

Duncan E. Barber (*Pro Hac Vice Motion Pending*) (Colo. Bar No. 16768)
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**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

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In re : Chapter 11 Case No.:
:
LEHMAN BROTHERS HOLDINGS INC., *et al.*, : 08-13555 (SCC)
:
Debtors. : (Jointly Administered)
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**DECLARATION OF DUNCAN E. BARBER IN SUPPORT OF MOTION
TO ABSTAIN FROM CONSIDERATION OF PLAN ADMINISTRATOR'S
FIRST HUNDRED NINTH OMNIBUS OBJECTION TO CLAIMS**

I, Duncan E. Barber, declare pursuant to 27 U.S.C. § 1746, that the following is true:

1. I am an attorney licensed to practice in the State of Colorado. My application for *pro hac vice* admission is pending before this Court. I am an attorney with the firm of Shapiro Bieging Barber Otteson LLP, attorneys for creditors Ironbridge Homes, LLC ("IBH"), Ironbridge Mountain Cottages, LLC ("IMC") and Ironbridge Aspen Collection, LLC ("IAC" and collectively with IBH and IMC the "Movants") in the above captioned matter.

2. I submit this Declaration in support of Movants motion requesting that the Court enter an order abstaining from consideration of the Five Hundred Ninth Omnibus Objection to Claims (the "Motion").¹

3. Attached hereto as **Exhibit 1** is a true and correct copy of the Complaint filed by the Debtor on November 30, 2011 in the State Court Litigation.

¹ All capitalized terms used but not otherwise defined shall have the meanings ascribed to them in the Motion.

4. Attached hereto as **Exhibit 2** is a true and correct copy of the Debtor's most recent Status Report filed in the State Court Litigation.

5. Attached hereto as **Exhibit 3** is a true and correct copy of the Tolling Agreement, executed as of November 30, 2011, between the Debtors, the Ironbridge Entities, the Hansen Entities and Sunrise Company (a/k/a Sunrise Construction) (all as defined in the Tolling Agreement).

Dated: May 5, 2016
Denver, Colorado

SHAPIRO BIEGING BARBER OTTESON LLP

By: /s/ Duncan E. Barber

Duncan E. Barber, Colorado Bar #16768

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